



DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES
Administration on Children, Youth and Families
330 C Street, S.W.
Washington, D.C. 20201

November 6, 2018

Jerry R. Foxhoven
Director
Iowa Department of Human Services
1305 East Walnut Street – 5th Floor
Des Moines, Iowa 50319

Dear Director Foxhoven:

The Family First Prevention Services Act (FFPSA), enacted as part of Public Law (P.L.) 115-123, amended many provisions of titles IV-B and IV-E of the Social Security Act (the Act). On July 9, 2018, the Children's Bureau issued Program Instruction (PI) ACYF-CB-PI-18-07 to provide instructions to title IV-E agencies on amendments they are required to make to their Title IV-E Foster Care and Adoption Assistance Plan to address provisions amended or added by FFPSA. The PI provided instructions and deadlines for submitting plan amendments, based on the effective date of the specific provisions. The PI also provided instructions for requesting a delay of effective dates for certain title IV-B and IV-E plan requirements, where permitted by law.

On September 28, 2018, Iowa submitted a title IV-E Plan amendment to the Regional Office. This submission addressed the following requirements:

Title IV-E plan provisions effective in federal law on October 1, 2018

- Sections 472(j) and 472(a)(2)(C) of the Act addressing foster care maintenance payments for children placed with parents in a licensed residential family-based treatment facility for substance abuse; and
- Section 471(a)(20)(D) of the Act addressing criminal record and registry checks for adults working in child-care institutions.

Title IV-E plan provisions effective in federal law on October 1, 2019

- Section 471(a)(37) of the Act providing a certification on preventing increases to the juvenile justice population
- Section 472(k) of the Act addressing limitations on title IV-E Foster Care maintenance payments for placements that are not foster family homes;
- Section 472(c) of the Act addressing the definition of foster family homes; and
- Sections 472(k)(1)(B), 472(k)(4) and 475A(c) of the Act addressing qualified residential treatment program (QRTP) placements.

Delays

Iowa previously requested (August 9, 2018) and received approval (September 14, 2018) for a legislative delay regarding the following provisions:

- 422(b)(15)(A)(vii) of the Act, modifying the title IV-B, subpart 1 plan for protocols to prevent inappropriate diagnoses;
- 471(a)(20)(D) of the Act, addressing criminal record and child abuse and neglect registry checks for adults working in child-care institution

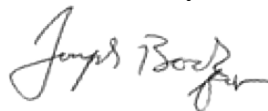
On September 28, 2018, Iowa also submitted Attachment C to ACYF-CB-PI-18-07 requesting delays in implementing the following provisions:

- Section 471(a)(37) of the Act providing a certification on preventing increases to the juvenile justice population
- Section 472(k) of the Act addressing limitations on title IV-E Foster Care maintenance payments for placements that are not foster family homes;
- Section 472(c) of the Act addressing the definition of foster family homes; and
- Section 475A(c) of the Act addressing qualified residential treatment program (QRTP) placements.

The delayed effective date for these provisions is July 1, 2020. Enclosed is a signed copy of Attachment C. We appreciate Iowa alerting us to your plans with respect to these provisions relating to limitations on title IV-E foster care maintenance payments for congregate care placements. Please note that submission of this request at this time is non-binding. Title IV-E agencies have until September 29, 2019 to make a final decision; therefore you may withdraw or revise your request to delay implementation of these provisions at any time before that date.

Again, thank you for your submission. Should you have any questions or concerns, please contact Amy Hance, Child and Family Program Specialist in Region 7 at (816) 426-2230 [or by e-mail amy.hance@acf.hhs.gov]. You may also contact Deborah Smith, Child Welfare Regional Program Manager in Region 7 or by e-mail deborah.smith@acf.hhs.gov.

Sincerely,



Jerry Milner
Associate Commissioner
Children's Bureau

Enclosures:

cc: Gail Collins, Director; CB, Division of Program Implementation; Washington, DC
Tina Naugler, Director of Regional Programs; CB, Washington, DC
Deborah Smith, Child Welfare Regional Program Manager; CB, Region 7; Kansas City, MO
Amy Hance, Child and Family Program Specialist; CB, Region 7; Kansas City, MO

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	SECTION 2. FOSTER CARE MAINTENANCE PAYMENTS	
472(a)(2)(B)&(C) 472(a)(2)(B)(i) 472(a)(2)(B)(ii)	<p>c. whose placement and care in a foster family home, with a parent residing in a licensed residential family-based treatment facility for substance abuse, but only to the extent permitted under 472(j), or in a child care institution (as defined in section 472(c) of the Act) , but only to the extent permitted under 472(k), is the responsibility of either:</p> <ul style="list-style-type: none"> i. the State agency administering the approved title IV-E plan; ii. any other public agency with whom the State/Tribal agency administering or supervising the administration of the approved title IV-E plan has made an agreement which is still in effect; or iii. a Tribe that has a plan approved under section 471 in accordance with 479B; and 	<p>See Appendix 2: Employee Manual Chapter 13B: DETERMINING TITLE IV-E ELIGIBILITY, Responsibility for Placement and Care, Pages 31 to 34.</p> <p>Iowa decided not to implement the payment for a child residing with a parent in a licensed family-based treatment facility for substance abuse. If IA later decides to implement the payment, IA will submit a State Plan Amendment with supporting documentation, including IA's Cost Allocation Plan.</p>

¹ Statutory references refer to the Social Security Act. Regulatory references refer to Title 45 of the Code of Federal Regulations (CFR).

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
<p>472(a)(3)(A)(i)</p> <p>472(a)(3)(A)(ii)(I)</p> <p>472(a)(3)(A)(ii)(II)</p> <p>472(a)(3)(B)</p> <p>472(j)(1)</p>	<p>d. who:</p> <p>i. Either:</p> <p>A. received AFDC, in the home referred to in section 472(a)(1), under the State plan approved under section 402 of the Act (as in effect 7/16/96) in or for the month in which either a voluntary placement agreement was entered into or court proceedings leading to the judicial determination, referred to in section 472(a)(2)(A) of the Act, were initiated;</p> <p>B. would have received AFDC, in the home, in or for such month referred to in the above clause if application for such aid had been made; or</p> <p>C. had been living with a relative specified in section 406(a) of the Act (as in effect 7/16/96) within six months prior to the month in which a voluntary placement agreement was entered into or court proceedings leading to the judicial determination, referred to in section 472(a)(2)(A) of the Act, were initiated, and would have received AFDC in or for such month if the child had been living in the home with such relative and an application had been made for AFDC under title IV-A of the Act; and</p>	<p>See Appendix 2: Employee Manual Chapter 13B: DETERMINING TITLE IV-E ELIGIBILITY, AFDC Relatedness, Pages 45 to 94.</p> <p>See Appendix 2: Employee Manual Chapter 13B: DETERMINING TITLE IV-E ELIGIBILITY, Removal from a Specified Relative, Pages 37 to 44.</p>

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	<p>ii. had resources (determined under section 402(a)(7)(B) of the Act as in effect 7/16/96) that had a combined value of not more than \$10,000 consistent with section 472(a)(3)(B) of the Act; or</p> <p>iii. Is not required to meet the AFDC requirements in 472(a)(3) of the Act because the child is placed with a parent residing in a licensed residential family-based substance abuse treatment facility (Tribes, see section 7 for related requirements in section 479B(c)(1)(C)(ii)(II) of the Act.)</p>	<p>Iowa decided not to implement the payment for a child residing with a parent in a licensed family-based treatment facility for substance abuse. If IA later decides to implement the payment, IA will submit a State Plan Amendment with supporting documentation, including IA's Cost Allocation Plan.</p>
<p>472(b)(1)&(2)</p> <p>472(k)</p>	<p>2. Foster care maintenance payments are made only on behalf of an eligible child who is:</p> <p>a. in the foster family home of an individual or family, whether the payments are made to such individual or to a public or private child placement or child care agency; or</p>	<p>See Appendix 2: Employee Manual Chapter 13B: DETERMINING TITLE IV-E ELIGIBILITY</p>

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	<p>b. in a child care institution, whether the payments are made to such institution or to a public or private child placement or child-care agency. Such payments are limited to include only those items that are included in the term "foster care maintenance payments" (defined in section 475(4) of the Act).</p> <p>Title IV-E agencies may claim for title IV-E foster care maintenance payments paid on behalf of an eligible child placed in a child care institution for up to two weeks. Title IV-E agencies may continue to claim administrative costs for the duration of the period in the CCI regardless of whether the CCI meets the restrictions in section 472(k) of the Act. After two weeks, title IV-E FCMP for a child placed in a CCI are only available if that CCI is a:</p> <ul style="list-style-type: none"> i. "qualified residential treatment program" (QRTP), as defined in section 472(k)(4) of the Act and subject to additional requirements described below; ii. a setting specializing in providing prenatal, post-partum, or parenting supports for youth; iii. in the case of a youth who has attained 18 years of age, a supervised setting in which the 	<p>IA requested a delayed effective date of July 1, 2020.</p> <p>See Attachment C: Request for Delay</p>

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	<p>youth is living independently;</p> <p>iv. a setting providing high-quality residential care and supportive services to children and youth who have been found to be, or are at risk of becoming, sex trafficking victims; or</p> <p>v. a licensed residential family-based treatment facility for substance abuse (subject to additional requirements per section 472(j) of the Act).</p>	
<p>475(5)(B)</p> <p>475A(c)(4)</p>	<p>a. a review of each child's status is made no less frequently than once every six months either by a court or by an administrative review to:</p> <p>i. determine the safety of the child, the continuing need for and appropriateness of the placement;</p> <p>ii. determine the extent of compliance with the case plan;</p> <p>iii. determine the extent of progress made toward alleviating or mitigating the causes necessitating the placement; and</p> <p>iv. project a likely date by which the child may be returned and safely maintained at home or</p>	<p>IC 232.102(9)(a)</p> <p>IC 232.102(10)(a)</p> <p>IC 232.104(1)(a)</p> <p>441 IAC 202.2(5)</p> <p>441 IAC 202.6(5)</p> <p>See Appendix 7: Employee Manual Chapter 17C-1, CASE PLANNING PROCEDURES, pages 20-22.</p>

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	<p>placed for adoption or legal guardianship; and <u>v.</u> for a child for whom another planned permanent living arrangement has been determined as the permanency plan, determine the steps the state/tribal agency is taking to ensure the child’s foster family home or child care institution is following the reasonable and prudent parent standard and to ascertain whether the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities; and <u>.vi.</u> for a child placed in a qualified residential treatment program, evidence -</p> <p>demonstrating that ongoing assessment of the strengths and needs of the child continues to support the determination that the needs of the child cannot be met through placement in a foster family home, that the placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment, and that the placement is consistent with the short- and long-term goals for the child, as specified in the permanency</p>	<p>IA requested a delayed effective date of July 1, 2020.</p> <p>See Attachment C: Request for Delay</p>

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	<p>plan for the child;</p> <p>documenting the specific treatment or service needs that will be met for the child in the placement and the length of time the child is expected to need the treatment or services; and</p> <p>documenting the efforts made by the State/Tribal agency to prepare the child to return home or to be placed with a fit and willing relative, a legal guardian, or an adoptive parent, or in a foster family home.</p> <p>In the case of any child who is placed in a qualified residential treatment program for more than 12 consecutive months or 18 nonconsecutive months (or, in the case of a child who has not attained age 13, for more than 6 consecutive or nonconsecutive months), the State/Tribal agency shall maintain for the Secretary's inspection/review the most recent versions of the evidence and documentation specified at the review hearing and the signed approval of the head of the State/Tribal agency for the continued placement of the child in that setting.</p>	

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
<p>1356.21(b)(3) 475(5)(C) 471(a)(15)(E)(i) 475A(c)(4)</p>	<p>d. For the purposes of this requirement, a permanency hearing shall determine:</p> <ul style="list-style-type: none"> i. the permanency plan for the child that includes whether, and if applicable when, the child will be returned to the parent, or placed for adoption and the State/Tribe will file a petition for termination of parental rights, or referred to legal guardianship, or only in the case of a child who has attained 16 years of age (in cases where the State/Tribal agency has documented to the court a compelling reason for determining, as of the date of the hearing, that it would not be in the best interest of the child to return home, be referred for termination of parental rights, or be placed for adoption, with a fit and willing relative, or with a legal guardian) placed in another planned permanent living arrangement subject to section 475A(a) of the Act; ii. in the case of a child who will not be returned to the parent, the hearing shall consider in-State/Tribal service area and out-of-State/Tribal service area placement options; iii. in the case of a child placed out of the State/Tribal service area in which the home of 	<p>IC 232.2(4) IC 232.104(2)</p> <p>See Appendix 6: Employee Manual Chapter 17C: CASE PLANNING, pages 9-13.</p> <p>See Appendix 7: Employee Manual Chapter 17C-1: CASE PLANNING PROCEDURES, pages 6, 16, 19-22, 27-33, and 39.</p> <p>See Appendix 3: Employee Manual Chapter 17-E, OUT-OF-HOME PLACEMENT POLICY and PROCEDURES, pages 106 through 106c and General Letter 17-E-9, pages 1 and 2.</p> <p>441 IAC 202.8(234)</p> <p>IC 232.2(4)(f) 441 IAC 202.11(1, 2, and 7)</p>

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	<p>the parent(s) of the child is located, the hearing shall determine whether the out-of-State/Tribal service area placement continues to be appropriate and in the best interests of the child;</p> <ul style="list-style-type: none"> iv. in the case of a child who has attained age 14, the services needed to assist the child to make the transition from foster care to successful adulthood; v. in any permanency hearing held with respect to the child, including any hearing regarding the transition of the child from foster care to successful adulthood, procedural safeguards shall be applied to assure the court or administrative body conducting the hearing consults, in an age-appropriate manner, with the child regarding the proposed permanency or transition plan for the child; and vi. if a child has attained 14 years of age, the permanency plan developed for the child, and any revision or addition to the plan, shall be developed in consultation with the child and, at the option of the child, with not more than 2 members of the permanency planning team who are selected by the child and who are not a foster parent of, or caseworker for, the child, 	<p>441 IAC 202.15(2) 441 IAC 202.15(4)</p>

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	<p>except that the state or tribal agency may reject an individual so selected by the child if the agency has good cause to believe that the individual would not act in the best interests of the child, and 1 individual so selected by the child may be designated to be the child's advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent standard to the child; and</p> <p>vii. for a child placed in a qualified residential treatment program, evidence -</p> <p>demonstrating that ongoing assessment of the strengths and needs of the child continues to support the determination that the needs of the child cannot be met through placement in a foster family home, that the placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment, and that the placement is consistent with the short- and long-term goals for the child, as specified in the permanency plan for the child;</p> <p>documenting the specific treatment or service</p>	<p>IA requested a delayed effective date of July 1, 2020.</p> <p>See Attachment C: Request for Delay</p>

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	<p>needs that will be met for the child in the placement and the length of time the child is expected to need the treatment or services; and</p> <p>documenting the efforts made by the State/Tribal agency to prepare the child to return home or to be placed with a fit and willing relative, a legal guardian, or an adoptive parent, or in a foster family home.</p> <p>In the case of any child who is placed in a qualified residential treatment program for more than 12 consecutive months or 18 nonconsecutive months (or, in the case of a child who has not attained age 13, for more than 6 consecutive or nonconsecutive months), the State/Tribal agency shall submit to the Secretary the most recent versions of the evidence and documentation specified at the permanency hearing and the signed approval of the head of the State/Tribal agency for the continued placement of the child in that setting.</p>	
475A(c)	Q. PLACEMENT IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM.	IA requested a delayed effective date of

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	<p>1. In the case of any child who is placed in a qualified residential treatment program (as defined in section 472(k)(4)), case plan for the child and the case system review procedure for the child must:</p> <ul style="list-style-type: none"> a. Assess the strengths and needs of the child within 30 days of the start of each placement, using an age-appropriate, evidence-based, validated, functional assessment tool approved by the Secretary; b. Determine whether the needs of the child can be met with family members or through placement in a foster family home or, if not, which setting from among the settings specified in section 472(k)(2) would provide the most effective and appropriate level of care for the child in the least restrictive environment and be consistent with the short- and long-term goals for the child, as specified in the permanency plan for the child; and c. Develop a list of child-specific short- and long-term mental and behavioral health goals. <p>2. The state/tribal agency shall assemble a family and permanency team for the child in accordance with the requirements 475A(c). The qualified</p>	<p>July 1, 2020.</p> <p>See Attachment C: Request for Delay</p>

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	<p>individual conducting the assessment shall work in conjunction with the family of, and permanency team for, the child while conducting and making the assessment. The family and permanency team shall consist of all appropriate biological family members, relative, and fictive kin of the child, as well as, as appropriate, professionals who are a resource to the family of the child, such as teachers, medical or mental health providers who have treated the child, or clergy. In the case of a child who has attained age 14, the family and permanency team shall include the members of the permanency planning team for the child that are selected by the child in accordance with section 475(5)(C)(iv).</p> <p>3. The State/Tribal agency shall document in the child's case plan—</p> <p>a. the reasonable and good faith effort of the agency to identify and include all the individuals described above on the child's family and permanency team;</p> <p>b. all contact information for members of the family and permanency team, as well as contact information for other family members and fictive kin who are not</p>	

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	<p>part of the family and permanency team;</p> <p>c. evidence that meetings of the family and permanency team, including meetings relating to the assessment required 475A(c), are held at a time and place convenient for family;</p> <p>d. if reunification is the goal, evidence demonstrating that the parent from whom the child was removed provided input on the members of the family and permanency team;</p> <p>e. evidence that the assessment required 475A(c)(A) is determined in conjunction with the family and permanency team; and</p> <p>f. the placement preferences of the family and permanency team relative to the assessment that recognizes children should be placed with their siblings unless there is a finding by the court that such placement is contrary to their best interest; and</p> <p>g. if the placement preferences of the family and permanency team and child are not the placement setting recommended by the qualified individual conducting the assessment, the reasons why the</p>	

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	<p>preferences of the team and of the child were not recommended.</p> <p>4. If the qualified individual conducting the assessment determines that a child should not be placed in a foster family home, the qualified individual shall specify in writing the reasons why the needs of the child cannot be met by the family of the child or in a foster family home. A shortage or lack of foster family homes shall not be an acceptable reason for determining that the needs of the child cannot be met in a foster family home. The qualified individual also shall specify in writing why the recommended placement in a qualified residential treatment program is the setting that will provide the child with the most effective and appropriate level of care in the least restrictive environment and how that placement is consistent with the short- and long-term goals for the child, as specified in the permanency plan for the child.</p> <p>5. 'qualified individual' means a trained professional or licensed clinician who is not an employee of the State/Tribal agency and who is not connected to, or affiliated with, any placement setting in which children are placed by the State/Tribal agency. The</p>	

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	<p>agency may request that the Secretary waive this requirement in a matter prescribed by the Secretary (See Attachment XI).</p> <p>6. Within 60 days of the start of each placement in a qualified residential treatment program, a family or juvenile court or another court (including a tribal court) of competent jurisdiction, or an administrative body appointed or approved by the court, independently, shall consider the assessment, determination, and documentation made by the qualified individual conducting the assessment, determine whether the needs of the child can be met through placement in a foster family home or, if not, whether placement of the child in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment and whether that placement is consistent with the short- and long-term goals for the child, as specified in the permanency plan for the child; and approve or disapprove the placement.</p> <p>7. The case plan shall include documentation of any determination by a qualified individual that a child should not be placed in a foster family home, and the</p>	

Federal Regulatory/ Statutory References ¹	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	reasons why the needs of the child cannot be met by the family of the child or in a foster family home, and documentation of the determination and approval or disapproval of the placement in a qualified residential treatment program by a court or administrative body.	

Federal Regulatory/ Statutory References	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	SECTION 4. GENERAL PROGRAM REQUIREMENTS	
1355.20(a) 472(c)(1)	<p>1. Foster family home means, for the purpose of title IV-E eligibility, the home of an individual or family:</p> <p>a. that is licensed or approved by the State or Tribal service area in which it is situated as a foster family home (or with respect to foster family homes on or near Indian reservations, by the tribal licensing or approval authority(ies)), that as meets ing the standards established for the licensing or approval; and</p>	<p>441 IAC 113</p> <p>IA requested a delayed effective date of July 1, 2020.</p> <p>See Attachment C: Request for Delay</p>

Federal Regulatory/ Statutory References	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	<p>b. in which a child in foster care has been placed in the care of an individual, who resides with the child and who has been licensed or approved by the State/Tribal agency to be a foster parent that the agency deems capable of adhering to the reasonable and prudent parent standard; that provides 24-hour substitute care for children placed away from their parents or other caretakers; and that provides the care for not more than six children in foster care.</p> <p>c. in which the number of foster children that may be cared for in a foster family home may not exceed six, except at the option of the State/Tribal agency, for any of the following reasons:</p> <p>(i) To allow a parenting youth in foster care to remain with the child of the parenting youth.</p> <p>(ii) To allow siblings to remain together.</p> <p>(iii) To allow a child with an established meaningful relationship with the family to remain with the family.</p>	

Federal Regulatory/ Statutory References	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	<p>(iv) To allow a family with special training or skills to provide care to a child who has a severe disability.</p> <p>by the State/Tribal licensing or approval authority(ies) (or with respect to foster family homes on or near Indian reservations, by the tribal licensing or approval authority(ies)), that provides 24-hour out-of-home care for children. The term may include group homes, agency-operated boarding homes or other facilities licensed or approved for the purpose of providing foster care by the State/Tribal agency responsible for approval or licensing of such facilities. Foster family homes that are approved must be held to the same standards as foster family homes that are licensed. Anything less than full licensure or approval is insufficient for meeting title IV-E eligibility requirements.</p> <p>(Tribes, see also section 7)</p>	
472(j)	3. Licensed residential family-based treatment facility for substance abuse, means a treatment facility provides, as part of the treatment for substance abuse, parenting skills training, parent education, and individual and family counseling; and under an organizational structure and treatment framework that involves understanding,	<p>Not Applicable.</p> <p>Iowa decided not to implement this provision. If IA later decides to</p>

Federal Regulatory/ Statutory References	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	recognizing, and responding to the effects of all types of trauma and in accordance with recognized principles of a trauma-informed approach and trauma-specific interventions to address the consequences of trauma and facilitate healing.	implement the provision, IA will submit a State Plan Amendment with supporting documentation, including IA's Cost Allocation Plan.
1356.30(f) 471(a)(20)(D)	d. In order for a child to be eligible for title IV-E funding, the licensing file for a child care institution must contain documentation which verifies that safety considerations with respect to the staff of the institution have been addressed. State/Tribal agency shall provide procedures for any child care institution, including a group home, residential treatment center, shelter, or other congregate care setting, to conduct criminal record checks, including fingerprint-based checks of national crime information databases (as defined in section 534(f)(3)(A) of title 28, United States Code), and checks described in subparagraph (B) of this paragraph, on any adult working child-care institution, including a group home, residential treatment center, shelter, or other congregate care setting, unless the State reports to the Secretary the alternative criminal records checks and child abuse registry	IC 237.8 441 IAC 114.7(3) IA requested a legislative delay for this requirement (see approved Attachment B). IA will submit pre-file language to IA's General Assembly with anticipated enactment and effective date of changes occurring no later than July 1,

Federal Regulatory/ Statutory References	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	checks the State conducts on any adult working in a child-care institution, including a group home, residential treatment center, shelter, or other congregate care setting, and why the checks specified in this subparagraph are not appropriate for the State.	2019.

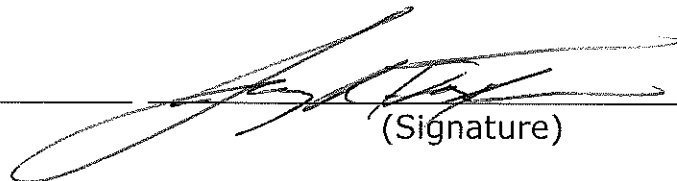
Title IV-E Plan – State of IOWA

PLAN SUBMISSION CERTIFICATION

Instructions: This Certification must be signed and submitted by the official authorized to submit the title IV-E plan, each time the state/tribal submits an amendment to the title IV-E plan.

I, Jerry R. Foxhoven (name) hereby certify that I am authorized to submit the title IV-E Plan on behalf of Iowa Department of Human Services (State/Tribal Agency). I also certify that the title IV-E plan was submitted to the governor or tribal leader for his or her review and approval in accordance with 45 CFR 1356.20(c)(2) and 45 CFR 204.1.

Date 9-28-18



(Signature)

(Title)

APPROVAL
DATE November 6, 2018

EFFECTIVE
DATE: July 1, 2018

Joseph Bock for Jerry Milner
(Signature, Associate Commissioner, Children's
Bureau)

Attachment C: REQUEST FOR DELAY

Instructions for all state and tribal title IV-E agencies: Title IV-E agencies may request a delay up to two years, for the following provisions:

- *Preventing increases to the juvenile justice population:* Title IV-E agencies must certify they will not enact policies that will significantly increase the state/tribe’s juvenile justice population in response to the restrictions on title IV-E foster care payments in 472(k) of the Act (section 471(a)(37) of the Act),
- *Limitations on IV-E foster care payments for placements that are not foster family homes:* Title IV-E agencies must limit foster care payments to two weeks for child care institutions per section 472(k) of the Act, unless it is a specified placement,
- *Limit on number of children in a foster family home:* Title IV-E agencies must revise the definition of foster family home in accordance with section 472(c) of the Act, and
- *Qualified Residential Treatment Placements (QRTP):* Title IV-E agencies must provide detailed assessment, case planning, documentation, and judicial determination requirements for children to be placed in and continue their placement in a QRTP (475A(c) of the Act).

The Iowa Department of Human Services (Name of Agency) requests a delayed effective date for these provisions. The effective date for the provisions and for claiming FFP for title IV-E prevention services under section 474(a)(6) of the Act will be July 1, 2020 (no later than September 29, 2021).

Additional Instructions for tribal title IV-E agencies: Indian tribes, tribal organizations, or consortia with a title IV-E plan approved under section 479B of the Act that require additional time as necessary to comply with section 471(a)(36) of the Act must submit this “Request for Delay” and indicate the delayed effective date below.

- Tribal Title IV-E Agencies Only: Model Licensing Standards for Foster Family Homes: Title IV-E agencies must provide HHS specific and detailed information about foster family home licensing standards and waivers of non-safety licensing standards for relative foster family homes (pursuant to waiver authority provided by 471(a)(10)(D) of the Act).
The _____ (Name of Tribal Agency) requests additional time as necessary to comply with section 471(a)(36) of the Act. The effective date for this requirement will be _____.

Signature: This certification must be signed by the official with authority to sign the title IV-E plan (see Attachment I of the Pre-Print), and submitted to the appropriate Children’s Bureau Regional Program Manager for approval no later than 120 days from issuance of ACYF-CB-PI-18-07, November 9, 2018.

9-28-18
(Date)

[Handwritten Signature]
(Signature and Title)

CB Approval Date: 11/6/2018

Joseph Bock for Jerry Milner
(Signature, Associate Commissioner, Children’s Bureau)